

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

Case No. 13-cv-14695
Hon. Matthew F. Leitman

v.

CARMEN D. PALMER,

Respondent.

**ORDER DENYING PETITIONER'S
MOTION FOR RECONSIDERATION (ECF No. 294)**

On April 14, 2020, the Court held an on-the-record status conference with counsel for all parties. During that status conference, the Court proposed that the parties file a new round of final briefs on Petitioner Omar Rashad Pouncy's petition for a writ of habeas corpus. Neither Pouncy's counsel nor counsel for Respondent objected to the Court's proposal. Accordingly, following the status conference, the Court entered a written order directing the filing of the final briefs. (*See* ECF No. 293.)

Pouncy has now filed a motion for reconsideration of the Court's order setting the briefing schedule. (*See* Mot. for Reconsideration, ECF No. 294.) Pouncy says that additional briefing by both parties is unnecessary. (*See id.*) The Court disagrees and **DENIES** Pouncy's motion.

Motions for reconsideration in this Court are governed by Local Rule 7.1(h). That rule provides that:

Generally, and without restricting the Court's discretion, the Court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the Court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the Court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. Local Rule 7.1(h)(3).

Pouncy has failed to persuade the Court that it palpably erred when it set the revised briefing schedule. Given the unique posture of this case – and the developments that have occurred since the Court set the previous briefing schedule and the parties' submitted their opening briefs – the Court remains convinced that the most efficient way for the parties to present their arguments and for the Court to digest those arguments is through the revised briefing schedule currently in place. The Court has broad discretion over the control of its docket, and Pouncy has not shown any error in the exercise of that discretion here. The Court will promptly evaluate the arguments in the final round of briefing once those briefs are filed.

For all of these reasons, Pouncy's motion for reconsideration (ECF No. 294) is **DENIED.**

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: April 30, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 30, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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